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HELLER-MANUS INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PATRICIA FAGUNDES,

Plaintiff,

vs.

CHARTER BUILDERS, INC., et al.

Defendants.

Case No. C-07-1111 JF (RS)

STIPULATION OF DISMISSAL OF
DEFENDANT HELLER-MANUS
INC. WITHOUT PREJUDICE
AND ORDER

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, it is hereby stipulated by and between the parties to this action that defendant Heller-Manus, Inc. is dismissed without prejudice. This stipulation is not intended to prevent defendant Domizile Homeowners Association from Cross-Complaining against defendant Heller-Manus, Inc. or Charter Builders, Inc. and is entered into without prejudice to the

1 Association's right to do so.

2 Dated: December 14, 2007

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By /s/ D. Scott Chang
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Dated: December 17, 2007

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23 IT IS SO ORDERED.

24 12/20/07

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Judge Jeremy Fogel, US District Court

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CERTIFICATE OF SERVICE
NORTHERN DISTRICT OF CALIFORNIA

I hereby certify that on December 18, 2007, a copy of Stipulation of Dismissal Without Prejudice of Defendant Heller-Manus, Inc. was electronically filed and by operation of the Court's ECF System was served upon the following by electronic mail:

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